

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - February 12, 1969

Appeal No. 9938 Leon and Harriet Murek, appellants.

The Zoning Administrator of the District of Columbia, appellee.

EFFECTIVE DATE OF ORDER - March 13, 1969

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on February 12, 1969.

ORDERED:

That the appeal for a variance from the requirements of Section 7201.3 to permit waiver of one off-street parking space at 545 - 42nd Street, N.E., lot 827, Square 5091, be granted.

FINDINGS OF FACT:

1. The subject property is located in an R-5-A District.
2. The property is improved with a 2-story brick dwelling. The premises are now used and have been used for approximately five years as a 1-family residence on the second floor and a church on the first floor.
3. The property has a frontage of 17 feet on 42nd Street and is 63 feet in depth.
4. The rear of the lot has no access to the street or alley other than across lot 820.
5. Appellant alleges that he is unable to provide accessory parking in the immediate vicinity of the subject premises.
6. No opposition to the granting of this appeal was registered at the public hearing.

OPINION:

We are of the opinion that the appellant has shown a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief

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will result in peculiar and exceptional practical difficulties and undue hardship upon the owner. Further, we conclude that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and map.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By:

A handwritten signature in dark ink, appearing to read "Charles E. Morgan", is written over a horizontal line.

CHARLES E. MORGAN
Secretary of the Board

THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.